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E-FILED - 1/16/08

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

14 In re EXTREME NETWORKS, INC.) No. C-07-02268-RMW
15 SHAREHOLDER DERIVATIVE)
16 LITIGATION) STIPULATION AND [] ORDER
17 _____) REVISING BRIEFING SCHEDULE
18)
This Document Relates To:)
19)
20 ALL ACTIONS.)
21 _____)

1 WHEREAS, plaintiffs filed their First Amended Consolidated Complaint in this action on
2 October 11, 2007;

3 WHEREAS, defendants filed their Motion to Dismiss and supporting papers¹ on November
4 26, 2007;

5 WHEREAS, further to the October 3, 2007 Stipulation and Order entered by this Court,
6 plaintiffs' Opposition to Defendants' Motion to Dismiss in this action is due Thursday, January 10,
7 2007;

8 WHEREAS, all parties agree that plaintiffs may have a fifteen-day extension, until January
9 25, 2007, to file an Opposition to the Motion to Dismiss and supporting papers;

10 WHEREAS, on December 4, 2007, the Court's Clerk issued a Notice Continuing the Hearing
11 Date for Defendants' Motion to Dismiss from February 29, 2008 at 9:00 a.m. until March 14, 2008
12 at 9:00 a.m.; and

13 WHEREAS, there has been no previous continuance sought in connection with the briefing
14 for this motion, and the agreed-upon schedule is not for the purpose of delay, promotes judicial
15 efficiency, and will not cause prejudice to any party.

16 THEREFORE, IT IS STIPULATED AND AGREED by plaintiffs and defendants, through
17 their respective counsel of record, as follows:

18 || **SCHEDULE**

19 Plaintiffs shall have until no later than January 25, 2008 to file an Opposition to Defendants'
20 Motion to Dismiss. If defendants file and serve a reply to plaintiffs' opposition, they will do so by
21 no later than February 22, 2008. The hearing date of March 14, 2008 at 9:00 a.m. will remain as set
22 by the Court.

²⁷ ¹ Extreme Networks, Inc.’s Motion to Dismiss; Request for Judicial Notice in Support of Extreme Networks, Inc.’s Motion to Dismiss; Declaration of Joseph E. Floren in Support Thereof.

1 IT IS SO STIPULATED.

2 DATED: December 26, 2007

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Networks, Inc.

1 I, Aelish M. Baig, am the ECF User whose ID and password are being used to file this
2 Stipulation and [Proposed] Order Revising Briefing Schedule. In compliance with General Order
3 45, X.B., I hereby attest that Jonathan M. DeGooyer of Morgan, Lewis & Bockius LLP has
4 concurred in this filing.

5 * * *

6 **O R D E R**

7 PURSUANT TO STIPULATION, IT IS SO ORDERED.

8
9 DATED: 1/16/08

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11 
12 THE HONORABLE RONALD M. WHYTE
13 UNITED STATES DISTRICT JUDGE

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Electronic Mail Notice List

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